



1743
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-1071)

In the Application of:)
Klaubert, et al.) Art Unit: 1743
Serial No.: 09/924,797)
Filed: August 8, 2001) Examiner: To be assigned
For: Improved Method For Measuring)
Membrane Potential)

RECEIVED

JUL 10 2003

TC 1700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement (IDS) (2 sheets);
 - b. Form PTO-1449 (2 sheets);
 - c. International Search Report for International Patent Application PCT/US02/25046;
 - d. 21 Cited References; and
 - e. Return Receipt Postcard.
2. With respect to fees:
 - a. X No fee is required
3. Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 2, 2003.

Respectfully submitted,

By:

Raafat M. Shaltout

Raafat M. Shaltout

Reg. No. 45,092

McDonnell, Boehnen Hulbert & Berghoff

300 South Wacker Drive

Chicago, IL 60606



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-1071)

In the Application of:)
Klaubert, et al.) Art Unit: 1743
Serial No.: 09/924,797) Examiner: To be assigned
Filed: August 8, 2001)
For: Improved Method For Measuring)
Membrane Potential)

RECEIVED
JUL 10 2003
TC 1700

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

United States Patents

1. Winslow, et al., U.S. Patent No. 4,370,401, issued January 25, 1983.
2. Little, II et al., U.S. Patent No. 6,455,271, issued September 24, 2002.

Other Documents

3. Bartsch et al., (1982) *Arch. Pharm.*, 315:761-766.
4. Beck, (1997) *FEMS Micro. Letters*, 147:11-14.
5. Bronner C. et al., (1991) *Biochim Biophys Acta* 1070:321-331.

RECEIVED
JUL 10 2003
TC 1700

CIPR
JUL 07 2003
PATENT & TRADEMARK OFFICE

6. dePoorter, et al., (2001) *J. Microbiol. Methods*, 47:233-241.
7. Fischer, (1969) *Chem Ber*, 102:2609-2620.
8. Freedman JC, et al. (1989) *Methods Enzymol* 172:102-122.
9. Gonzalez, et al. (1997) *Chem Biol* 4:269-277.
10. Gross D, et al. (1989) *Methods Cell Biol* 30:193-218.
11. Lee et al., (1999) *J. Korean Med Science*, 14:21-26.
12. Liao et al., (1999) *Antimicrobial Agents and Chemotherapy* 43:1034-1041.
13. Loew (1993) *Methods in Cell Biology*, 38:195-209.
14. Loew et al., (1994) *Adv Chem Ser* 235:151.
15. Loew LM. (1999) *Fluorescent and Luminescent Probes for Biological Activity*, Mason WT, 2nd Ed. pp. 210-221.
16. Nakashima, et al., (1992) *Biomed. Chromatography* 6:55-58.
17. Plasck, et al. (1996) *J Photochem Photobiol B* 33:101-124.
18. Sabry et al, (2000) *J. of Pharm. Biomed. Analysis* 22:257-264.
19. Shapiro, (1994) *Methods Cell Biol*. 41:121-133.
20. Smith JC. (1990) *Biochim Biophys Acta* 1016:1-28.
21. Zochowski, et al., (2000) *Biol Bull* 198:1-21.
22. International Search Report for International Patent Application PCT/US02/25046.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

Date: July 2, 2003

By:

Raafat M. Shaltout
Raafat M. Shaltout
Reg. No. 45,092
McDonnell, Boehnen Hulbert & Berghoff
300 South Wacker Drive
Chicago, IL 60606

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 01-1071	Serial No. 09/924,797
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		RECEIVED JUL 10 2003 TC 1743	
		Applicant: Klaubert, et al.	
		Filing Date: August 8, 2001	Group: 1743

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1. 4,370,401	Jan 25, 1983	Winslow, et al.			
	2. 6,455,271	Sept 24, 2002	Little, II et al.			

FOREIGN PATENT DOCUMENTS

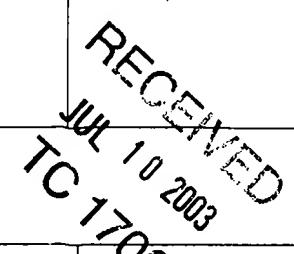
Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Y s No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

3.	Bartsch et al., (1982) <i>Arch. Pharm.</i> , 315:761-766.
4.	Beck, (1997) <i>FEMS Micro. Letters</i> , 147:11-14.
5.	Bronner C. et al., (1991) <i>Biochim Biophys Acta</i> 1070:321-331
6.	dePoorter, et al., (2001) <i>J. Microbiol. Methods</i> , 47:233-241.
7.	Fischer, (1969) <i>Chem Ber</i> , 102:2609-2620.
8.	Freedman JC, et al. (1989) <i>Methods Enzymol</i> 172:102-122.
9.	Gonzalez, et al. (1997) <i>Chem Biol</i> 4:269-277.
10.	Gross D, et al. (1989) <i>Methods Cell Biol</i> 30:193-218.
11.	Lee et al., (1999) <i>J. Korean Med Science</i> , 14:21-26.
12.	Liao et al., (1999) <i>Antimicrobial Agents and Chemotherapy</i> 43:1034-1041.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 01-1071	Serial No. 09/924,797
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			
		Applicant: Klaubert, et al.	
		Filing Date: August 8, 2001	Group: 1743



U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.).

	13. Loew (1993) <i>Methods in Cell Biology</i> , 38:195-209.
	14. Loew et al., (1994) <i>Adv Chem Ser</i> 235:151.
	15. Loew LM. (1999) <i>Fluorescent and Luminescent Probes for Biological Activity</i> , Mason WT, 2 nd Ed. pp. 210-221.
	16. Nakashima, et al., (1992) <i>Biomed. Chromatography</i> 6:55-58.
	17. Plasek, et al. (1996) <i>J Photochem Photobiol B</i> 33:101-124.
	18. Sabry et al, (2000) <i>J. of Pharm. Biomed. Analysis</i> 22:257-264.
	19. Shapiro, (1994) <i>Methods Cell Biol.</i> 41:121-133.
	20. Smith JC. (1990) <i>Biochim Biophys Acta</i> 1016:1-28.
	21. Zochowski, et al., (2000) <i>Biol Bull</i> 198:1-21.
	22. International Search Report for International Patent Application PCT/US02/25046.
EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.